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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number
9933-003-999

First named inventor: Weinrich et al.

Express Mail No.: **EL 451 595 225 US**

Application No.: 08/785,559

Group Art Unit: 2771

Filed: January 17, 1997

Examiner: T. Havan

Title: **METHOD AND APPARATUS FOR CONSTRUCTING A NETWORKING DATABASE AND SYSTEM**

RECEIVED

OCT 20 2000

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, DC 20231

OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to the Office Action mailed on October 30, 1998, which set a three month period for reply.

A response and a petition for a three month extension of time were mailed to the Patent Office by Express Mail on April 30, 1999. The response was received by the Patent Office on May 1, 1999 but for reasons unknown was given a filing date of May 1, 1999 and not April 30, 1999.

When this was noted, a Petition was filed on June 17, 1999 to correct the filing date. Meanwhile, prosecution of the application continued, a Notice of Allowance issued and the issue fee was paid on November 2, 1999.

On May 31, 2000, a Decision was issued dismissing the Petition to correct the filing date. The Decision stated that the application became abandoned on May 1, 1999 and it vacated the Notice of Allowance.

On August 11, 2000, a Renewed Petition was filed requesting withdrawal of the holding of abandonment. On September 15, 2000, the Renewed Petition was dismissed.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995, and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity - fee **\$620.00** (37 CFR 1.17(m)). Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
- ☐ Small entity statement enclosed herewith.
- ☒ Small entity statement previously filed.
- ☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of a Response to Office Action mailed October 30, 1998 (identify type of reply):

- ☒ has been filed previously on April 30, 1999.
- ☐ is enclosed herewith.

10/19/2000 AGOITOM 00000017 161150 08785559

- B. The issue fee of \$ **605.00**

- ☒ has been paid previously on November 2, 1999.
- ☐ is enclosed herewith.

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620.00 CH

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Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC, 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC, 20231.

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

October 12, 2000

Date


Signature

Telephone

Number: (650) 493-4935

FRANCIS E. MORRIS (REG. NO. 24,615)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, NY 10036-2711
(212) 790-9090

Enclosures: ☐ Reply

☐ Fee Payment

☐ Terminal Disclaimer Form

☐ Small Entity Status Form

☐ _____